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MEMORANDUM ENDORSED

February 5, 2024

VIA ECF

Hon. Gregory H. Woods, U.S.D.J.
United States District Court S.D.N.Y.
500 Pearl Street, Room 226
New York, New York 10007

Re: *Cadwell v. Citibank, N.A.*, 23 cv 1315 (GHW) (KHP)
Cadwell v. Citibank, N.A., 24 cv 487 (GHW) (KHP)

Your Honor:

I am the attorney for Plaintiffs Jason N. Cadwell and Harald B. Findlay (the “Co-Trustees”) in the above-entitled cases. After conferring with my clients after this past Thursday’s conference with the Court, my clients have decided to voluntarily dismiss, without prejudice, the second case listed above, Docket No. 24 cv 487, under Fed. R. Civ. P. 41(a)(1)(A)(i). While that rule authorizes the filing of notices of voluntary dismissal “without court order,” *id.*, Your Honor issued a stay of proceedings in the second case during last Thursday’s conference. Accordingly, the Co-Trustees respectfully request that the Court lift the stay in the second case for the purpose of allowing them to file their notice of voluntary dismissal in the second case.

Respectfully submitted,

KATSKY KORINS LLP

/s/ Aytan Y. Bellin

By: Aytan Y. Bellin

Attorneys for Plaintiffs

The Court thanks Plaintiffs for their letter. The stay in the 2024 Action (1:24-cv-487) is hereby lifted pursuant to Plaintiffs' stated intent to file a notice of voluntary dismissal in that case. The Clerk of Court is directed to lift the stay in the 2024 Action, and to terminate the motion pending at Dkt. No. 89 in the 2023 Action (1:23-cv-1315).

SO ORDERED.

Dated: February 7, 2024
New York, New York



GREGORY H. WOODS
United States District Judge